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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/576,037 | 05/23/2000 | Roy Lou | 5244-0128-2 | 4372 |
| 22850 | 7590 | 05/30/2006 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | BRINICH, STEPHEN M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2625 | |

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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20060524

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

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|------------------------------|---------------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 09/576,037 | Applicant(s) LOU, ROY | |
| | Examiner Stephen M. Brinich | Art Unit 2625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 & 8-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo et al (US 5828461).

Re claims 1, 8-11, 25, & 30-32, Kubo et al discloses (Figures 9A-10 & 12 and column 22, line 25 - column 25, line 30; particularly column 22, lines 25-33 and column 24, lines 18-33) a print control system in which a print dialog box 113 is displayed with options for displaying and modifying print settings, including an indication of a paper selection, and then confirming and activating (the "SETTING" button) the print job. A printing information dialog box 100 including an indication of a paper selection is displayed after confirming the print job. This box displays a modifiable synopsis to direct the processing of the print job.

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Re claim 2, the print dialog box includes a printer selection ("AUTOMATIC" or "MANUAL") and a scale size ("RESOLUTION").

Re claim 3 & 27, the print dialog box includes a "CANCEL" button to cancel the print job.

Re claims 4-6, 13-15, 18-24, 25-27, 34-36, & 39-45, the printing information dialog box has "PRINT" and "CANCEL" buttons to respectively enable and activate (either for a first time or for an additional instance readable on "resubmission") and cancel the print job.

Re claim 12, 16, 19, 33, 37, & 40, the printing information dialog box enables the editable selection of a paper size and color tone, which is readable upon the (not further described) "print selection device".

Re claim 17-24, 28-29, & 38-45, the "resubmission" of a print job by repeating the steps of submitting the original print job again follows the described steps (displaying the print dialog box again, selecting settings in the new print dialog box, confirming the settings by selecting the "OK" button in the print dialog box, displaying the printing information dialog box again, selecting the output file in the printing information dialog box, and activating the print job by

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selecting the "OK" button in the printing information dialog box).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al.

Re claim 7, Kubo et al teaches the display of a list of print settings as described above, but does not teach or suggest the display of the entire recited list of specific print property settings (including all of printer name, printer ports, timeout settings, color management, output printer settings, banner settings, paper selection, document size, print size, paper type, printer tray, print resolution, edge smoothing flags, toner savings flag, graphics configuration, accessories, statistics, and watermark properties).

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to select this particular list of print properties for display.

The suggestion/motivation for including these specific print property settings rather than others would have been to enable user control and monitoring of those particular settings while minimizing interface clutter.

Therefore, it would have been obvious to use this specific list of displayed print properties to obtain the invention as specified in claim 7.

Conclusion

5. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

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If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

A handwritten signature in black ink, reading "Stephen Brinich". The signature is fluid and cursive, with the first name "Stephen" and last name "Brinich" clearly distinguishable.

Stephen M Brinich
Examiner

Technology Division 2625

smb

May 24, 2006